

EXHIBIT A

FILED FOR RECORD
HARRISON COUNTY, TEXAS
CLERK DISTRICT COURT

CAUSE NO. 14-0118

JOHNNIE STEPHENS
Plaintiff,

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IN THE DISTRICT COURT

2014 FEB 14 AM 10:10

BY MELVINDE CRAIG
DEPUTY

V.

71st JUDICIAL DISTRICT

CONVERGENT OUTSOURCING, INC.
Defendant.

HARRISON COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION

I. INTRODUCTION

1. This is an action for damages brought by Plaintiff, Johnnie Stephens, for violations of the Fair Debt Collection Practices Act, 15, U.S.C. § 1692, et seq. (hereinafter "FDCPA") committed by Defendant, Convergent Outsourcing, Inc.

II. JURISDICTION AND VENUE

2. Jurisdiction of this Court is proper pursuant to 15 U.S.C. § 1692k(d), which permits an FDCPA action to be brought in any court of competent jurisdiction. Venue in this county is proper because Defendant conducts business here and the conduct complained of occurred here.

III. PARTIES

3. Plaintiff is a natural person residing at 1324 Don Long Road, Waskom, TX 75692, and is a "consumer" as that term is defined by 15 U.S.C. § 1692a(3).
4. Defendant is a corporation engaged in the business of collecting debts in this state with its principal place of business located at 800 SW 39th Street, Renton, WA 98057.
5. Defendant may be served by serving its registered agent, CT Corporation System, 350 N. Saint Paul, Suite 2900, Dallas, TX 75201-4234.
5. The principal business purpose of Defendant is the collection of debts using the mail and telephone and Defendant regularly attempts to collect debts alleged to be due to another.
6. Defendant is a "debt collector" as defined by the FDCPA, 15 U.S.C. § 1692a(6).

IV. FACTUAL ALLEGATIONS AND CLAIMS

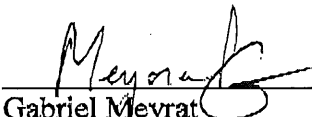
7. Plaintiff incurred a financial obligation that was primarily for personal enjoyment and is therefore a "debt" as that term is defined by 15 U.S.C. § 1692(a)5.
8. Sometime thereafter the alleged debt was consigned, placed, or otherwise transferred to Defendant for collection from Johnnie Stephens.
9. On March 25, 2013, Plaintiff's attorney, Gabriel Meyrat, sent a letter of representation by certified mail to Defendant informing Defendant to send all communications with regard to Johnnie Stephens to Gabriel Meyrat.
10. Soon after, Defendant received the letter and signed the green card that accompanied the letter.
11. Despite knowledge that Mr. Stephens was represented by an attorney, Defendant mailed a collection letter to Mr. Stephens on December 12, 2013.
12. By sending the collection letter to Mr. Stephens despite knowledge of attorney representation, Defendant violated 15 U.S.C. § 1692c of the FDCPA which states that a debt collector may not communicate with a consumer in connection of any debt if the debt collector knows the consumer is represented by an attorney.
13. As a result of the above violation of the FDCPA, Defendant is liable to Plaintiff for statutory damages, costs, and attorney's fees.

V. PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant as follows:

- A. For an award of statutory damages in the amount of \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)2(A).
- B. For an award of costs of litigation and reasonable attorney's fees pursuant to 15 U.S.C. § 1692k(a)3; and
- C. For such other and further relief as may be just and proper.

Respectfully Submitted,



Gabriel Meyrat
State Bar No. 24053935
P.O. Box 570396

Dallas, Texas 75357

(214) 403-5928

ATTORNEY FOR PLAINTIFF

FILED FOR RECORD
HARRISON, COUNTY, TEXAS
CLERK DISTRICT COURT

Gabriel S. Meyrat
Attorney at Law

2014 FEB 14 AM 10:09 P.O. Box 570396
Dallas, Texas 75357

BY MELINDA CRAIG Tel: (214) 403-5928
Email: gmeyrat@gmail.com
DEPUTY

February 12, 2014

VIA REGULAR MAIL

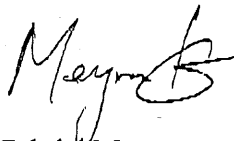
Harrison County District Clerk
200 W. Houston, Suite 234
Marshall, Texas 75671

Re: Johnnie Stephens v. Convergent Outsourcing, Inc.

Dear Sir / Madam:

Find enclosed for filing an original and two copies of ***Plaintiff's Original Petition***. You will find enclosed a check in the amount of \$340.00. Please prepare citation and have Defendant served by certified mail return receipt requested. Return a file-stamped copy of ***Plaintiff's Original Petition*** in the self-addressed stamped envelope provided for your convenience.

Yours Truly,



Gabriel Meyrat
Attorney at Law

CIVIL CASE INFORMATION SHEET

CAUSE NUMBER (FOR CLERK USE ONLY):

COURT (FOR CLERK USE ONLY):

STYLED

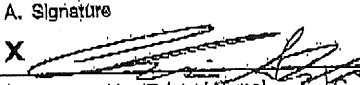
Johnnie Stephens v. Convergent Outsourcing, Inc.

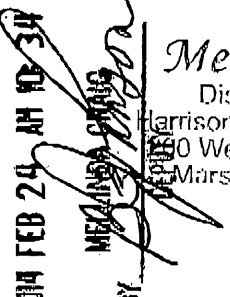
(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing. This sheet, approved by the Texas Judicial Council, is intended to collect information that will be used for statistical purposes only. It neither replaces nor supplements the filings or service of pleading or other documents as required by law or rule. The sheet does not constitute a discovery request, response, or supplementation, and it is not admissible at trial.

1. Contact information for person completing case information sheet:		Names of parties in case:		Person or entity completing sheet is:	
Name:	Email:	Plaintiff(s)/Petitioner(s):		Attorney for Plaintiff/Petitioner	
GABRIEL MEYRAT	gmeyrat@gmail.com	Johnnie Stephens		Pro Se Plaintiff/Petitioner	
Address:	Telephone:	Defendant(s)/Respondent(s):		Title IV-D Agency	
P.O. Box 570396	(214) 463-5928	Convergent Outsourcing, Inc.		Other:	
City/State/Zip:	Fax:			Additional Parties in Child Support Case:	
Dallas, TX 75357				Custodial Parent:	
Signature:	State Bar No:			Non-Custodial Parent:	
Meyrat	24053935			Presumed Father:	
[Attach additional page as necessary to list all parties]					
2. Indicate case type, or identify the most important issue in the case (select only 1):					
Civil			Family Law		
Contract	Injury or Damage	Real Property	Marriage Relationship	Post-judgment Actions (non Title IV-D)	
Debt/Contract Consumer TPA Debt/Contract Fraud/Misrepresentation Other Debt/Contract:	Assault/Battery Construction Defamation Malpractice Accounting Legal Medical Other Professional Liability:	Eminent Domain/ Condemnation Partition Quiet Title Trespass to Try Title Other Property:	Annulment Declare Marriage Void Divorce With Children No Children	Enforcement Modification—Custody Modification—Other	
Foreclosure Home Equity—Expedited Other Foreclosure	Motor Vehicle Accident Premises Product Liability Asbestos/Silica Other Product Liability List Product:	Related to Criminal Matters	Other Family Law	Title IV-D Enforcement/Modification Paternity Reciprocity (UIFSA) Support Order	
Franchise Insurance Landlord/Tenant Non-Competition Partnership Other Contract:	Other Injury or Damage:	Expunction Judgment Nisi Non-Disclosure Seizure/Forfeiture Writ of Habeas Corpus— Pre-indictment Other:	Enforce Foreign Judgment Habeas Corpus Name Change Protective Order Removal of Disabilities of Minority Other:	Parent-Child Relationship Adoption/Adoption with Termination Child Protection Child Support Custody or Visitation Gestational Parenting Grandparent Access Parentage/Paternity Termination of Parental Rights Other Parent-Child:	
Employment	Other Civil				
Discrimination Retaliation Termination Workers' Compensation Other Employment:	Administrative Appeal Antitrust/Unfair Competition Code Violations Foreign Judgment Intellectual Property	Lawyer Discipline Perpetuate Testimony Securities/Stock Tortious Interference Other:			
Tax	Probate & Mental Health				
Tax Appraisal Tax Delinquency Other Tax	Probate/Wills/Intestate Administration Dependent Administration Independent Administration Other Estate Proceedings	Guardianship—Adult Guardianship—Minor Mental Health Other:			
3. Indicate procedure or remedy, if applicable (may select more than 1):					
Appeal from Municipal or Justice Court Arbitration-related Attachment Bill of Review Certiorari Class Action	Declaratory Judgment Garnishment Interpleader License Mandamus Post-judgment	Prejudgment Remedy Protective Order Receiver Sequestration Temporary Restraining Order/Injunction Turnover			

FILED FOR RECORD
HARRISON COUNTY TEXAS
CLERK DISTRICT COURT
2014 FEB 24 AM 11:09
BY MELISSA SPAN

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none">■ Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.■ Print your name and address on the reverse so that we can return the card to you.■ Attach this card to the back of the mailpiece, or on the front if space permits.		<p>A. Signature <input checked="" type="checkbox"/> X  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) Christopher S. Wells</p> <p>C. Date of Delivery [Blank]</p> <p>D. Return Receipt for Merchandise (Form 3800, 12/10) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If YES, enter delivery address below:</p>	
1. Article Addressed To: 14-0118		3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery	
2. Article Number: (Transfer from service label) 7013 1710 0000 5067 4121		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
CONVERGENT OUTSOURCING, INC. CT CORPORATION SYSTEM 350 N. ST. PAUL ST. DALLAS, TX 75201-4234			
PS Form 3811, July 2013		Domestic Return Receipt	

UNITED STATES POSTAL SERVICE		First-Class Mail Postage & Fees Paid USPS Permit No. G-10	
• Sender: Please print your name, address, and ZIP+4® in this box•			
<p>FILED FOR RECORD HARRISON, COUNTY, TEXAS CLERK DISTRICT COURT</p> <p>2014 FEB 24 AM 10:34</p> <p>BY  Mellinda Craig District Court Clerk Harrison County Court House 100 West Houston, Ste 234 Marshall, Texas 75670</p>			

CAUSE NO. 140118

JOHNNIE STEPHENS,
Plaintiff,

vs.

CONVERGENT OUTSOURCING, INC.
Defendant.

§ IN THE DISTRICT COURT
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§
§ 71ST JUDICIAL DISTRICT
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§
§
§ HARRISON COUNTY, TEXAS

FILED FOR RECORD
HARRISON COUNTY, TEXAS
CLERK DISTRICT COURT

2014 MAR 19 AM 10:22
BY MELANIE BRAGG
CLERK

DEFENDANT CONVERGENT OUTSOURCING, INC.'S ORIGINAL ANSWER

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Convergent Outsourcing, Inc., the Defendant herein, and files its Original Answer and would respectfully show unto the Court as follows:

I.
GENERAL DENIAL

As authorized by Rule 92, Texas Rules of Civil Procedure, Defendant generally denies each and every, all and singular, the allegations found in Plaintiff's Petition and, since they are allegations of fact, the Plaintiff should be required to prove the allegations asserted against Defendant by a preponderance of the evidence in accordance with the laws of the State of Texas.

II.
AFFIRMATIVE DEFENSES

Plaintiff has failed to mitigate damages, if any.

Plaintiff's damages, if any, are result of actions of third party over which this Defendant has no control.

Any violations, if they occurred, were the result of bona fide error.

WHEREFORE, PREMISES CONSIDERED, Defendant respectfully asks the Court to:

- 1) Find Plaintiff's claims are not valid.
- 2) Enter judgment that Plaintiff take nothing from this Defendant.

Respectfully submitted,

ROBBIE MALONE, PLLC



ROBBIE MALONE

State Bar No. 12876450

Email: rmalone@rmalonelaw.com

XERXES MARTIN

State Bar No. 24078928

Email: xmartin@rmalonelaw.com

DREW JONES

State Bar No. 24083269

Email: djones@rmalonelaw.com

ROBBIE MALONE, P.L.L.C.

Northpark Central, Suite 1850

8750 North Central Expressway

Dallas, Texas 75231

TEL: (214) 346-2630

FAX: (214) 346-2631

COUNSEL FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document has been forwarded to Plaintiff's counsel via First Class Mail and Certified Mail Return Receipt Requested on this 14th day of March, 2014 to:

Gabriel Meyrat
P.O. Box 570396
Dallas, Texas 75257


ROBBIE MALONE

Robbie MaloneA Professional Limited Liability Company
Attorneys and Counselors**Robbie Malone**

DIRECT DIAL: (214) 346-2625

E-MAIL: rmalone@rmalonelaw.com

FILED FOR RECORD
HARRISON COUNTY, TEXAS
CLERK DISTRICT COURT

2014 MAR 19 AM 10:22

MELINDA CRAIG
NORTH PARK CENTRAL, SUITE 1850
8750 MIDCENTRAL EXPRESSWAY
DALLAS, TEXAS 75231
(214) 346-2630
FAX (214) 346-2631

March 14, 2014

Mellinda Craig, District Clerk
Harrison County Courthouse
200 West Houston Suite 234
Marshall, Texas 75671VIA U.S. FIRST CLASS MAILRE: Cause No. 140118, *Johnnie Stephens v. Convergent Outsourcing, Inc.*,
in the 71st Judicial District Court, Harrison County, Texas

Dear Ms. Craig:

Enclosed is the original plus one copy of Defendant Convergent Outsourcing, Inc.'s Original Answer to Plaintiff's Original Petition for filing into the Court's record regarding the above-referenced matter. Please file-stamp the copy and forward to me in the enclosed return envelope.

By copy of this letter, opposing counsel is being served with a copy of same.

Thank you for your assistance in this matter.

Sincerely yours,

*Claudia Tate*Claudia Tate
Legal Secretary

:ckt

Enclosures

Cc: **VIA CERTIFIED MAIL,
RETURN RECEIPT REQUESTED**
7010 2780 0000 4546 4255
Gabriel Meyrat w/ enclosure
P.O. Box 570396
Dallas, Texas 75257